

Statement
W. E. Colby
Director of Central Intelligence
before
CIA Subcommittee
of the
House Select Committee on Intelligence
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Mr. Chairman:

Historically, nations have conducted but not talked about intelligence. Much of what they did may have been known by their adversaries and others, but a refusal to comment permitted the adversary an option as to how he replied. Official confirmation compelled him to strike out. This was perhaps most graphically illustrated in the U-2 incident over the Soviet Union in 1960. Khrushchev's memoirs recount his knowledge over several years of these flights, his exposure of our cover story, and his possession of our pilot. They also state that the official confirmation by our President of his personal responsibility for the operation forced Khrushchev to react sharply, since an intelligence incident had been raised to a confrontation between Chiefs of State.

The legislation, control and supervision of American intelligence established in the National Security Act of 1947 reflected this traditional approach. The legislation delegated decisions to the National Security Council, provided broad powers to conduct intelligence activities, and phrased functions in vague and general language. External supervision was sporadic and sympathetic, in tune with the consensus on foreign policy which marked the times.

Under this arrangement, mistakes were made by intelligence. Some operations went awry, and the Agency in some cases overstepped its proper bounds. I fully understand and support the Constitutional process that requires that these be investigated. The allegations made about CIA are serious and, if not resolved, could undermine the public confidence and support which are so necessary to any institution in our country. I must raise a cry of alarm, however, at the direction in which I see this process turning, as I fear that it can result in a dangerously erroneous image of American intelligence today and permanent and potentially fatal injury to its sources for tomorrow.

While CIA has made mistakes, they were few and far between. Scrutiny of the intensity aimed at CIA applied to almost any other American institution of its size and complexity would, I believe, find analagous missteps in a twenty-seven-year history. More importantly, CIA itself has recognized its errors and issued clear instructions to prevent such missteps in the future. In May of 1973, CIA collected from its employees their memories of questionable activities it might have conducted in years past. These were assembled and reported to the Chairmen of the CIA oversight committees, and a flat assurance was given by me that improper activities would not be conducted in the

future. This was reaffirmed during my confirmation hearing, where I made it clear that CIA would operate within the law, and a detailed set of instructions was issued by me in August 1973 correcting each and every one of the areas in which missteps were reported in the past.

The Vice President's Commission's summary of its findings on CIA's domestic activities is relevant in this context. I quote: "A detailed analysis of the facts has convinced the Commission that the great majority of the CIA's domestic activities comply with its statutory authority. Nevertheless, over the 28 years of its history, the CIA has engaged in some activities that should be criticized and not permitted to happen again." The Commission noted that some of these activities were initiated or ordered by Presidents, some fall within a doubtful area, and some were plainly unlawful. It commented that "the Agency's own recent actions, undertaken for the most part in 1973 and 1974, have gone far to terminate the activities upon which this investigation has focused."

The subject of assassination has now come to dominate current public comment about CIA and has raised deep concern among many of our citizens. Mr. Chairman, the current policy is clear. In 1972, my predecessor issued a directive that

"no such activity or operation be undertaken, assisted or suggested by any of our personnel." In the set of directives I issued in August 1973, I stated that "CIA will not engage in assassination nor induce, assist or suggest to others that assassination be employed." As for proposals, plots or attempts involving CIA, or actions by independent elements with which CIA may have been in contact, it is more sensational than valuable to try to reconstruct the atmosphere, the policies and the perceived threats and responses within our government 10-20 years ago. Public exposure of such matters today does no service to the United States, past or future, since our policy now is explicit. To the extent these matters require investigation, I believe they should be conducted in executive session.

With respect to surveillance, improper files and other interference with the rights of American citizens, I refer you to my public testimony given to the Senate and House Appropriations committees in January and February of this year. These matters were also the specific subject of clear policy directives in August 1973 to ensure CIA's full compliance with the law. The Vice President's Commission's report on these matters, quoted above, summarizes well this subject, and should place it in proper proportion.

Am I objecting to further investigation, Mr. Chairman? No, I welcome it. It is essential that our citizens understand how intelligence has changed over the twenty-eight years since 1947. It is essential that the public appreciate that the United States has developed the finest intelligence service in the world. Our leadership, and in this I include the Congress, is served by knowledge of foreign affairs and developments which would have been inconceivable twenty-five years ago. On a daily basis, Congress and the executive are made aware of the exact strengths of the strategic forces arrayed against us. Thanks to our remarkable strides in the technology of intelligence and in the skill and experience of the analysts with access to such remarkable data, our judgments are informed, not shallow. We also benefit from the courage and dedication of the career intelligence personnel serving their country abroad, frequently at great risk and without hope or desire for public appreciation. Our intelligence is independent of departmental interests and policy preferences, but we have established a structure through which differing views can be surfaced rather than suppressed, and sharpened rather than fuzzed.

The result not only protects our country better, it enables our country to negotiate on a basis of knowledge rather than confront on a basis of fear. It enables us to resolve local disputes in the world rather than see them flare up and entwine great powers in dangerous contest. More than once, an intelligence assessment of a critical international situation has enabled our government discreetly to bring together quarreling parties and avoid an outbreak of conflict. CIA's officers have quietly assisted friends under pressure or threat in many countries to stand up to otherwise irresistible pressures without the clamor of official U. S. or military action. A real investigation of American intelligence must also encompass these aspects, whose continuation depends on secrecy and whose contributions to our country's interests must be assured.

Even with such an improved understanding of modern American intelligence, there is work to be done. Those ambiguous guidelines of 1947 need to be clarified in legislation and external as well as internal directives. The permissive external supervision of years ago must be replaced by regular and responsible review, as it has

grown in recent years. And, Mr. Chairman, it is patently clear that our intelligence must be better protected from irresponsible leaks and exposures if its essential quality, the confidence of the foreigners and Americans who work with us, is not to be withdrawn.

Most of all, Mr. Chairman, all of us Americans, intelligence professionals, elected officials, the fourth estate, and our citizens as a whole must insist on a sense of responsibility to our nation as we look at our intelligence structure. We intelligence professionals must be responsive to our constitutional and legal requirements, and I believe we are. These investigations must be comprehensive in their conception as well as their detail. And we must seek sober judgments about intelligence, not shrill sensation.

An adversary prosecution focused on missteps is appropriate for a court or for a prosecutor; it is not appropriate to achieve a comprehensive understanding of an institution as complex and important to our country as intelligence. Thus, I hope we can focus primarily on our country's needs for intelligence in the '70's and '80's, rather than its missteps in the '50's and '60's.